

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BRIDGEPORT MUSIC, INC., *et al.*

No. 3:05-0377

Plaintiffs,

Jury Demand  
Judge Campbell  
Magistrate Judge Brown

v.

ROBERT HILL MUSIC, *et al*

Defendants.

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**MOTION OF DEFENDANT UMG RECORDINGS, INC. FOR LEAVE TO FILE  
CERTAIN DOCUMENTS UNDER SEAL PURSUANT TO ORDER OF APRIL 17, 2006**

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Defendant UMG Recordings, Inc. (“UMG”) hereby respectfully moves this Court for an order authorizing the filing under seal of three documents in support of its Motion for Partial Summary Judgment: (1) UMG’s Memorandum of Law in Support of the Motion for Partial Summary Judgment; (2) certain portions of UMG’s Separate Statement of Material Facts Not In Dispute; and (3) Exhibit 1 to the Declaration of Marc E. Mayer.

Good cause exists to allow the aforementioned documents to be filed under seal, and, indeed, the requested filing under seal is required by this Court’s orders. On April 17, 2006, this Court issued an order requiring Plaintiff Bridgeport Music, Inc. (“Bridgeport”) to produce documents reflecting portions of a settlement agreement between itself and members of the Warner Music Group. (A true and correct copy of such Order is attached hereto as Exhibit A). Pursuant to that order, such documents were to be disclosed on an attorneys’-eyes only basis, not to be disclosed without permission of the Court.

The documents produced pursuant to the Court's April 17 Order are critical and central to the issues presented in UMG's Motion for Partial Summary Judgment. In order for the Court to evaluate the merits of such motion, it is necessary that the Court be provided with, and consider, the contents of such documents. Accordingly, those documents are attached as Exhibit 1 to the Declaration of Marc E. Mayer. Additionally, material portions of such documents are necessarily discussed and quoted in UMG's Memorandum of Law and in portions of UMG's separate statement of material facts not in dispute. In order to preserve the confidentiality of such documents (and all material contained therein), UMG requests that the Court permit such documents to be filed "under seal" and disclosed only to the Court and to counsel of record in the action.

Date: July 17, 2006

Submitted by:

/s/ Russell J. Frackman

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## **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and exact copy of the foregoing was served upon Plaintiffs, via the Court's electronic filing system, to the following address:

Richard S. Busch  
Ramona DeSalvo  
KING & BALLOW  
1100 Union Street Plaza  
315 Union Street  
Nashville, Tennessee 37201

on the 17th day of July, 2006.

By: /s/ Philip M. Kirkpatrick  
Philip M. Kirkpatrick